

Amendment
U.S. Patent Application Serial No. 09/684,863

of said at least one primary conducting wall to distribute heat in a substantially uniform manner to said at least one medical item disposed on said heating plate;

step (e) further includes:

(e.1) measuring a temperature of each said heating plate via a corresponding temperature sensor; and

step (f) further includes:

(f.1) independently controlling each said heating assembly via said controller to heat an associated compartment to a corresponding desired temperature based on a temperature measured by a corresponding temperature sensor.

43. (New) The method of claim 39, wherein said system further includes a selectively configurable rack structure, and step (a) further includes:

(a.1) partitioning said compartment via said rack structure into at least one receptacle for receiving said at least one medical item; and

step (d) further includes:

(d.1) facilitating even heat distribution within said compartment and to said at least one medical item placed therein via said rack structure.

REMARKS

Claim 12 has been amended. Support for the amendment to this claim may be found throughout the specification.

Claims 34-43 have been added.

Claims 1-43 are pending in the subject application.

In the Office Action dated October 12, 2001, the Examiner allowed claims 1-11 and 13-33 and rejected claim 12. Favorable reconsideration of the application and allowance of all of the pending claims are respectfully requested in view of the following remarks.

The Examiner has rejected claim 12 under 35 U.S.C. § 102(e) as being anticipated by U.S.

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Patent No. 6,175,099 (Shei et al.). Briefly, the Shei et al. patent discloses an oven for maintaining cooked foods at temperatures suitable for serving or cooking the foods. The oven includes a cabinet containing multiple heat sinks having ends that open out of the cabinet. The interior surface of each heat sink generally conforms to the cross-sectional shapes of trays carrying foods that are inserted into the heat sinks. The heat sinks have heating elements extending along their sides and bottoms for elevating the temperature of the heat sinks and directing heat into the trays. The cabinet further includes electrical controls which control the temperature at which the heating elements of the heat sinks operate.

In contrast, the present invention is directed toward a temperature control system for heating medical items to desired temperatures. In one embodiment of the present invention, the system includes a housing, a plurality of heating compartments within the housing to receive at least one medical item, and a plurality of heating assemblies each disposed within a corresponding heating compartment, where each heating assembly includes a heater, a temperature sensor and a heating plate. The system further includes a controller to facilitate entry of desired temperatures and to independently control a thermal output of each heater to heat medical items disposed within a corresponding compartment to an entered desired temperature associated with that compartment based on a temperature measured by a corresponding temperature sensor. The controller controls the heating assemblies to heat at least two of the heating compartments to different desired temperatures.

The Examiner takes the position that the Shei et al. patent discloses all of the features of claim 12. Specifically, the Examiner asserts that the Shei et al. patent discloses a plurality of compartments and independent control means for which sensors are required and are therefore inherent in the disclosure of the Shei et al. patent.

This rejection is respectfully traversed since the Shei et al. patent does not disclose, teach or suggest the features of a plurality of heating compartments to receive at least one medical item, and a plurality of heating assemblies each disposed within a corresponding heating compartment and including a heating plate to receive at least one medical item thereon, a heater applying heat to the

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heating plate and a temperature sensor to measure the temperature of the heating plate as recited by claim 12.

However, in order to expedite prosecution of the subject application, claim 12 has been amended to recite the feature of the heating plate including a medical item support platform to receive and support at least one medical item thereon. The Shei et al. patent does not disclose, teach or suggest this feature. Rather, the Shei et al. patent discloses trays for receiving and holding food items, as opposed to a platform for receiving and supporting one or more medical items as recited in the claim. Further, the Shei et al. patent does not inherently disclose the temperature sensor recited in claim 12. Although the Shei et al. patent discloses electrical controls which control the temperature at which the heating elements of the sinks operate (See Col. 6, lines 32-36), there is no disclosure of any temperature sensor disposed within the heating compartment or heat sink of the oven to measure a temperature of a heating plate as recited in the claim. Since the Shei et al. patent does not disclose, teach or suggest the above-discussed features recited in claim 12, this claim is considered to be in condition for allowance.

New independent claim 34 recites the features of the medical item support platform and temperature sensor similar to those recited in allowed claim 1. As discussed above, the Shei et al. patent does not disclose, teach or suggest these features. Further, this claim recites a heating plate including at least one primary conducting wall and a plurality of secondary conducting walls, where at least one of these walls includes a medical item support platform to support at least one medical item within the heating compartment, a heater attached to and covering a selected portion of at least one primary conducting wall to directly apply heat to the selected portion, and at least one of the secondary conducting walls coupled to the primary conducting wall at a location separate from the selected portion to receive applied heat through conduction from the primary conducting wall. Similarly, new independent claim 39 recites features similar to allowed claim 17 and includes the steps of receiving at least one medical item on a heating plate, applying heat directly to at least one primary conducting wall of the heating plate via a heater attached to and covering a selected portion of the primary conducting wall, and conducting applied heat from the primary conducting wall to

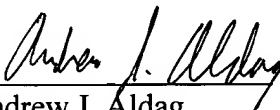
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at least one secondary conducting wall coupled to the primary conducting wall at a location separate from the selected portion to distribute heat in a substantially uniform manner to at least one medical item disposed on the heating plate. It is respectfully submitted that none of the cited patents, alone or in combination, discloses or renders obvious the features recited in claims 34 and 39. Therefore, these claims are considered to be in condition for allowance.

New claims 35-38 and 40-43 depend from either claim 34 or claim 39 and, therefore, are considered to be in condition for allowance for substantially the same reasons discussed above in relation to their parent claims.

The application, having been shown to overcome issues raised in the Office Action, is considered to be in condition for allowance and a Notice of Allowance is earnestly solicited.

Respectfully submitted,



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